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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,785	12/02/2003	Sang-Hyuck Jung	678-1132 (P10748)	3822

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EXAMINER
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STEIN, JULIE E

ART UNIT	PAPER NUMBER
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2688

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/725,785	JUNG, SANG-HYUCK	
	<b>Examiner</b>	<b>Art Unit</b>	
	Julie E. Stein, Esq.	2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Response to Amendment***

2. In view of the amendments to the specification and claims, the objections to the specification and claims are withdrawn.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1 as amended is indefinite because the term "facing outward" does not specifically describe the actual position of the guide holes in the structure of the communication device. While the relative position appears to be "facing outward" from the LCD, this does not distinctly describe their position. As interpreted below, any guide holes, as long as a portion of them are "facing outward", meet the recited limitation.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6 are rejected under 35 U.S.C. 102(3) as being anticipated by U.S. Patent Application No. 2003/0171133 to Mizuta et al.

7. Mizuta discloses all the elements of independent claim 1, including a mobile communication device (Figures 1A-2B) comprising: a main body (100) including a liquid crystal display (101) and guide holes formed at both sides of, and facing outward from (Figure 3, elements 100c, a portion of the guide holes face outward, the back side of them) the liquid crystal display (101); a slide cover (Figures 1A-2B, element 200) which includes a speaker (Figures 1A-2B, element 201) and is slidable over a front surface of the liquid crystal display in a longitudinal direction (paragraph 52) with respect to the main body; a pop-up module connected to the slide cover and inserted into the guide holes for sliding the slide cover over the front surface of the liquid crystal display (Figure 3, elements 200a and 200b); and a side grip provided at a side surface of the main body so as to fix a position of the pop-up module (Figures 1A and 2A, element 104 and paragraph 54).

Mizuta also discloses all the elements of claim 2, including wherein guide grooves are formed at both sides of the liquid crystal display in the longitudinal direction to guide the slide cover. See Figure 3, element 100c.

Mizuta also discloses all the elements of claims 3 and 4, including wherein the liquid crystal display serves as a main liquid crystal display when the slide cover is slid away from the main body during use of the mobile communication device to expose the entire liquid crystal display, and serves as a sub-liquid crystal display when the slide

Art Unit: 2688

cover is slid towards the main body during nonuse of the mobile communication device so as to partially expose the liquid crystal display. See paragraphs 52 and 62-67.

Mizuta also discloses all the elements of claims 5 and 6, including wherein the pop-up module includes: a head section connected to the slide cover (Figure 3, elements 200a); at least one bar installed at an end of the head section (including a connection plate for connecting the at least one bar to an other bar (Figure 3, elements 200a and 200b)) and inserted into the corresponding guide holes (Figure 3, elements 200b and 100c); and a compression spring installed within the bar for providing elastic force as the bar is slid towards or away from the main body (paragraph 54).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuta in view of U.S. Patent No. 6,272,324 to Rudisill.

Mizuta teaches all the elements of claim 7, including wherein the coiled compression spring is installed within the at least one bar (paragraph 54), and a locking groove is formed in a lower end of the at least one bar (Id.). However, Mizuta does not teach a flexible circuit is installed within an other bar. But, Rudisill teaches that the use of flexible circuits to connect separate components of mobile phones is well known and that although possibly problematic in flip-style phones, has been used to establish

Art Unit: 2688

necessary electrical connections through, for example, hinges in mobile phones. See column 1, lines 15 to 47. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the slidable phone of Mizuta to include a flexible circuit in one of the guide legs, for example 200g, in order to ensure electrical connection between speaker 201 and the main portion of the mobile phone 100.

***Allowable Subject Matter***

10. Claims 8-15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

11. Applicant's arguments filed 12-14-05 have been fully considered but they are not persuasive.

12. Applicant simply states that Mizuta does not anticipate independent claim 1 because the direction of the guide holes do not meet the recited claim limitations. However, as indicated in the 35 U.S.C. 112, second paragraph rejection, the amended language is indefinite and the Examiner has interpreted the language to simply require a portion of the guide holes to face outward from the LCD. Mizuta does disclose this as the back portion of the guide holes 100c face outward.

***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. 6,208,874 to Rudisill et al teaches a slidable mobile phone with guide holes/rails that are on the outside portion of the phone.

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie E. Stein, Esq. whose telephone number is (571) 272-7897. The examiner can normally be reached on M-F (8:30 am-5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2688

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**JEAN GELIN**  
**PRIMARY EXAMINER**

JES

